

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

William D. Jernigan

Debtor

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK AS SUCCESSOR
INDENTURE TRUSTEE TO JPMORGAN
CHASE BANK, N.A., AS INDENTURE
TRUSTEE FOR THE CWABS REVOLVING
HOME EQUITY LOAN ASSET BACKED
NOTES, 2004-S

Movant

vs.

William D. Jernigan

Debtor

Kenneth E. West, Esquire

Trustee

CHAPTER 13

NO. 20-12200 AMC

11 U.S.C. Section 362

STIPULATION

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The Order entered on July 13, 2022, document number 79, granting relief from the automatic stay is hereby VACATED, and the stay is in effect as to Debtor's residence located at 5748 Dunlap Street, Philadelphia, PA 19131.

2. The post-petition arrearage on the mortgage held by the Movant on the Debtor's residence located at 5748 Dunlap Street, Philadelphia, PA 19131 is **\$2,921.96** which breaks down as follows:

Post-Petition Payments:

December 25, 2021 at \$326.10
January 25, 2022 at \$325.82
February 25, 2022 at \$325.37
March 25, 2022 at \$318.31
April 25, 2022 at \$325.38
May 25, 2022 at \$328.90
June 25, 2022 at \$331.46
July 25, 2022 at \$340.62

Additional Fees and Costs related to Relief Motion:

\$300.00

Total Post-Petition Arrears

\$2,921.96

3. The Debtor shall cure said arrearages in the following manner:

a). Within thirty (30) days of the filing of this Stipulation, Debtor shall file an Amended Chapter 13 Plan to include the post-petition arrears of **\$2,921.96**.

b). Movant shall file an Amended or Supplemental Proof of Claim to include the post-petition arrears of **\$2,921.96** along with the pre-petition arrears;

c). The new 410A form for a Proof of Claim shall not be required for this Amended or Supplemental Proof of Claim.

4. Beginning with the payment due August 25, 2022 and continuing thereafter, Debtor shall pay to Movant the present regular monthly mortgage payment of \$357.96 (or as adjusted pursuant to the terms of the mortgage) on or before the twenty-fifth (25th) day of each month. All future payments made pursuant to the terms of this Consent Order should be forwarded to the following address until further notice:

BANK OF AMERICA, N.A.
P.O. BOX 660933
DALLAS, TX 75266

5. Should Debtor provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Movant shall adjust the account accordingly.

6. In the event the payments under Section 4 above are not tendered pursuant to the terms of this stipulation, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant immediate relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).

7. If the case is converted to Chapter 7 and the loan is in default, Movant may file a Certification of Default with the Court and the Court shall enter an order granting Movant relief from the automatic stay.

8. If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.

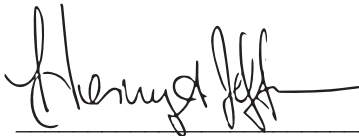
9. The provisions of this stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

10. The parties agree that a facsimile signature shall be considered an original signature.

Date: August 2, 2022

/s/ Rebecca A. Solarz, Esquire
Rebecca A. Solarz,, Esquire
KML Law Group, PC.
Attorney for Movant

Date: August 15, 2022



Henry Alan Jefferson, Esquire
Attorney for Debtor


Date: 8/15/2022

/s/Jack Miller, Esquire for *
Kenneth E. West, Esquire
Chapter 13 Trustee

**no objection to its terms,
without prejudice to any
of our rights and remedies*

Approved by the Court this _____ day of _____, 2022. However, the court retains discretion regarding entry of any further order.

Date: August 22, 2022



Bankruptcy Judge
Ashely M. Chan